

LEECH TISHMAN ROBINSON BROG, PLLC

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Attorneys for 960 Franklin LLC and Daryl Hagler

Hearing Date: January 18, 2022 at 10am

Objection Deadline: January 11, 2022 at 10 am

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 11

Case No. 22-42760-jmm

960 FRANKLIN OWNER LLC,

Debtor.

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**NOTICE OF 960 FRANKLIN LLC AND DARYL HAGLER FOR ENTRY
OF AN ORDER (I) DISMISSING CHAPTER 11 CASE, OR, IN THE
ALTERNATIVE, (II) EITHER (A) DETERMINING THAT THE
AUTOMATIC STAY DOES NOT APPLY TO AGREEMENT OF
SALE OF MEMBERSHIP INTERESTS OR (B) VACATING STAY WITH
RESPECT TO AGREEMENT OF SALE OF MEMBERSHIP INTERESTS**

PLEASE TAKE NOTICE, that upon the annexed motion of 960 Franklin LLC (“960 Franklin”) and Daryl Hagler (“Hagler” together with 960 Franklin, the “Movants”), by counsel, Leech Tishman Robinson Brog, PLLC, dated December 7, 2022, a hearing (the “Hearing”) will be held telephonically before Honorable Jil Mazer-Marino, United States Bankruptcy Judge on January 18, 2022 at 10:00 a.m., or as soon thereafter as counsel can be heard, for entry of an order dismissing the Chapter 11 case, or in the alternative (II) either (A) determining that the automatic stay provisions of 11 U.S.C. §362 do not apply to the

Agreement of Sale of Membership Interests (“Agreement”) between Hagler and the Debtor, or (B) vacating the automatic stay as to Hagler to permit him to, *inter alia*, terminate the Agreement.

PLEASE TAKE FURTHER NOTICE, that the Hearing will take place telephonically. Parties wishing to participate must register with eCourt Appearances two days in advance of all appearances. To register for eCourt Appearances please go to <https://www.nyeb.uscourts.gov/registering-remote-hearing-appearance-using-ecourt-appearances>. Once registered, eCourt Appearances will email the telephone number and video link for your hearing. You may register for hearings weeks in advance, but the telephone number and video link will not be emailed to you until 48 hours before the hearing date. Those registering with eCourt Appearances for hearings less than 48 hours in advance should allow up to 15 minutes after registration to receive the email with the telephone number and video link.

Those unable to access eCourt Appearances must email Judge Mazer-Marino’s Courtroom Deputy at: jmm_hearings@nyeb.uscourts.gov at least two (2) business days prior to the hearing. Your email must include your name, case number, who you represent (if you are an attorney), hearing date, and phone number. The subject line of the email must include “I am not able to register using eCourt Appearances.” If you do not have internet access, you may call Judge Mazer-Marino’s courtroom deputy (347) 394-1844.

PLEASE TAKE FURTHER NOTICE, that responses, if any, to the relief sought in the motion, must be in writing setting forth the facts and authorities upon which a response is based, filed with the Clerk of the Court, United States Bankruptcy Court, 271-C Cadman Plaza East, Brooklyn, New York 11201, with a copy to Chambers, provided, however, that pursuant to general order No. M-559 re Electronic Case Filing Procedures (as amended from time to time), entities with Internet access shall file responses (formatted with Adobe Acrobat, rider 3.0) at <http://www.nyeb.uscourts.gov>, and serve so as to be received by the attorneys for the Movants, Leech Tishman Robinson Brog, PLLC, 875 Third Avenue, New York, New York 10022, Attention: Fred B. Ringel., no later than seven (7) days prior to the hearing (the “Response Deadline”).

PLEASE TAKE FURTHER NOTICE, that if no responses are timely filed and served with respect to the motion, the Movants may, on or after the Response Deadline, submit to the Court an order, which order may be entered with no further

notice or opportunity to be heard.

Dated: New York, New York
December 7, 2022

LEECH TISHMAN ROBINSON BROG, PLLC

By: /s/ *Fred B. Ringel*

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